#### **CHAPTER 409**

# SHIPMENT PROCEDURES FOR PRIVATELY OWNED FIREARMS (POFS) AND AMMUNITION

#### A. GENERAL

This chapter provides policies and procedures for movement of a member's/employee's POFs and ammunition, both interstate and import/export, to and from the US.

#### **B. LIMITATIONS AND PROHIBITIONS**

- 1. War Trophy Firearms. The shipment of personal war souvenirs or trophies is strictly forbidden without an official authorization by the President of the US and designation by the SECDEF. Such firearms must have been registered with a DD Form 603, Registration of War Trophy Firearm, Figure 409-1, issued prior to 13 March 1973. Importation of unit war trophies or historically significant trophies or equipment is prohibited without approval of the SECDEF and Service Secretary.
- 2. Unit War Trophies/Historically Significant Trophies. Importation of unit war trophies or historically significant trophies or equipment is prohibited without approval of the SECDEF and Service Secretary. Importation will be accomplished under Service regulations.
- 3. Importation of foreign and domestic semi-automatic assault weapons is prohibited.
- 4. Importation of machineguns, short barrel shotguns, short barrel rifles, silencers, destructive devices, and certain other concealable firearms is prohibited.
- 5. The JTR/JFTR prohibits shipment of privately owned live ammunition as part of a member's/employee's HHG or UB. For shipping purposes under the JTR/JFTR, live ammunition is considered as ammunition that contains explosive components; i.e., unexpended primer or propellant powder. It does not include expended or unprimed cartridge casings, empty or spent shotgun shells, shotgun shot or pellets or souvenirs used for decorative purposes. Any reference to ammunition in this chapter is applicable only to ammunition that may be carried as accompanied (checked) baggage IAW carriers' regulations or that is being returned to the CTUS as other than HHG or UB.

## C. AUTHORIZATION

- 1. Shipment of Firearms Within CONUS. Members/employees are authorized to ship all conventional firearms, antique firearms, war trophies, and surplus military firearms, provided the owner is in possession of licenses and permits or documentation required by law.
- 2. Exporting Firearms and Ammunition from the US.
  - a. Customs Form 4455, <u>Certificate of Registration</u>, Figure 409-2, will be executed by the member when shipping firearms or ammunition from the US to an overseas area. This form will be completed prior to departure from the US at any US Bureau of Customs and Border Protection (CBP) office (<a href="http://www.customs.treas.gov">http://www.customs.treas.gov</a>). The form establishes that the

- firearms or ammunition were previously taken out of the US by the member on the member's subsequent return.
- b. In lieu of certification on CF 4455, proof of possession in the US may be established by a bill of sale, a receipt or other such document, a HHG inventory or packing list, or an application to ship personal property so long as the article is adequately described therein.
- 3. Importing Firearms to the US.
  - a. Members may import into the US any reasonable number of POFs and amount of ammunition, subject to the following:
    - (1) The member will be on active duty outside the US or have been on active duty outside the US within the 60-day period immediately preceding importation.
    - (2) The firearms and ammunition will be suitable for sporting purposes, or properly registered war trophy firearms. Prohibited firearms may not be imported. Surplus military firearms may not be imported unless the member can demonstrate previous ownership in the US of the firearms to US border clearance officials.
    - (3) The firearms and ammunition will be intended solely for the personal use of the member and not be intended for resale or for a gift to others.
    - (4) Importing will be to the place of residence of the member or to his or her permanent duty station.
    - (5) Importing will be IAW all applicable federal laws and state, territorial, or local laws. Members will consult Bureau of Alcohol, Tobacco and Firearms Publication ATF P 5300.5, <u>State Laws and Published Ordinances-Firearms</u>, for detailed information regarding state laws.
  - b. Import Permit Requirements. Application to import firearms and ammunition will be made on ATF Form 6 Part II (5330.3B), <u>Application and Permit for Importation of Firearms</u>, <u>Ammunition and Implements of War</u>, Figure 409-3. The completed application will be sent to the Director, Bureau of Alcohol, Tobacco, and Firearms, ATTN: Firearms and Explosives Imports Branch, Washington, D. C. 20226. BATF approved permits are required for importing all personally owned firearms and ammunition, regardless of date of purchase, except as noted below.
    - (1) Permits Not Required. Permits are not required for:
      - (a) Firearms and ammunition previously taken out of the US by the same member with proof of export.
      - (b) Antique firearms and replicas of antiques of such firearms if they are designed to use antique ignition systems, e.g., matchlock, flintlock, or percussion cap, or use rimfire or conventional centerfire ammunition that is not available in commercial channels.
      - (c) Firearms classified as war trophies when accompanied by a properly executed DD Form 603 indicating the firearm was properly acquired and registered during a

- period designated by the DOD provided such war trophies were previously owned in the US.
- (2) Other items or categories exempt from import procedures set forth in the CFR Title 27 Paragraph 178.114, Importation by Members of the US Armed Forces.

#### D. DOD CIVILIAN PERSONNEL

- 1. Firearms and Ammunition Acquired Overseas. DOD employees who are employed overseas and reside there while so employed are not considered as residents of a State in the US during that period. They may import into the US any firearms or ammunition acquired overseas during their employment that may lawfully be imported subject to the following conditions:
  - a. The firearms and ammunition will be suitable for sporting purposes, or properly registered war trophy firearms. Prohibited firearms may not be imported. Surplus military firearms may not be imported unless the employee can demonstrate previous ownership in the US of the firearms to US border clearance officials.
  - b. The firearms and ammunition will be intended solely for the personal use of the employee and not be intended for resale or for a gift to others.
    - (1) Import Permit Requirements: Application to import firearms and ammunition will be made on ATF Form 6 Part I (5330.3A), Application and Permit for Importation of Firearms, Ammunition and Implements of War, Figure 409-4. On the application or an attached sheet, a statement will be included that the applicant is a US citizen returning from employment outside of the US and has resided there during such employment, and that the firearms and ammunition are being imported for personal use and not for resale. The completed application will be sent to the Director, Bureau of Alcohol, Tobacco, and Firearms, ATTN: Firearms and Explosives Imports Branch, Washington, D.C. 20226. BATF approved permits are required for the importation of all personally owned firearms and ammunition, regardless of date of purchase, except as noted below.

## (2) Permits are not required for:

- (a) Firearms and ammunition previously taken out of the US by the employee returning them. Proof of export is required.
- (b) Antique firearms and replicas of antiques of such firearms if they are designed to use antique ignition systems, e.g., matchlock, flintlock, or percussion cap, or use rimfire or conventional centerfire ammunition that is not available in commercial channels.
- (c) Firearms classified as war trophies when accompanied by a properly executed DD Form 603 indicating the firearm was properly acquired and registered during a period designated by the DOD.

#### E. OTHER IMPORTS

- 1. In addition to the imports of privately owned firearms and ammunition covered in paragraphs above, the following imports are allowed:
  - a. A firearm issued to a general or flag officer under the provisions of military regulations. (No import permit required.)
  - b. Firearms and ammunition imported for, sold or shipped to, or issued for the use of the US or any department or agency thereof, or any State or any department, agency, or political subdivision thereof. (An import permit is required unless the firearms or ammunition is being directly imported by a federal agency.)
  - c. Firearms or ammunition, with proper documentation, brought into the US for scientific or research purposes, or for use in connection with competition or training for competitive firing (import permit required).
  - d. Firearms, other than machine guns, as determined by the BATF to be unserviceable and not restorable to firing condition, entered into the US as curios, museum pieces, or historical artifacts (import permit required).
  - e. Any individual (military or civilian) on duty overseas may send a normally permitted firearm to a licensed dealer in the US for repair and subsequent return to the individual at his or her oversea location. The firearm will normally be mailed, with the words "REPAIR AND RETURN" clearly marked on the outside of the package. (No import permit required.)
  - f. Additional detail on firearm importing requirements can be found in this Regulation, Part V, Chapter 503, <u>Importation of Privately Owned Firearms (POF) and Ammunition and Implements of War.</u>

#### F. RESPONSIBILITIES OF MEMBERS/EMPLOYEES

Members/Employees will:

- 1. Ensure all laws and regulations of the US and its territories, foreign countries, and municipalities are complied with regarding the possession, carrying, registration, and shipment of POFs. (See this Regulation, Part V, Chapter 503 and General Instructions of the PPCIG, Volume II, Overseas (http://pweb.eta.mtmc.army.mil/ppcig/index.htm) for additional information.)
- Obtain and provide copies, upon request, of documentation authorizations, individual licenses, or registration forms for the firearms to be shipped as a part of an authorized personal property shipment.
- 3. Ensure all firearms are free of explosive charges when turned-over for shipment.

### G. APPLICATIONS FOR SHIPMENT OF FIREARMS

All applications for the shipment of firearms and ammunition into the CTUS or for shipments that include firearms will be accompanied by the forms or certificates prescribed by this Regulation, Part V, Chapter 503. A separate DD Form 1299 will be executed when the firearm is not to be packed and shipped with the HHG or UB. The make, model, caliber, and serial number of all firearms to be shipped will be listed on the shipment inventory, whether shipped separately or as part of HHG or UB. It is advisable for the member/employee to obtain a Customs Form 4455 from the nearest US Customs office before shipment from the US as proof of ownership in the US. Upon reentry to the CTUS, the member/employee will provide proof of ownership in the US. The statement "This shipment contains firearms" will be placed in the Description of Articles block on the PPGBL/BL. The counselor will refer to the PPCIG during counseling.

# H. SHIPMENT BY THROUGH GOVERNMENT BILL OF LADING (TGBL) DIRECT PROCUREMENT METHOD (DPM)

Under federal law, the carrier or contractor will be notified that firearms are being transported.

#### I. SHIPMENT THROUGH THE USPS

- 1. The USPS may be used as an alternate method of shipment of handguns and other firearms when offered as an official shipment between TOs as an authorized agent of the federal government.
- 2. Registered mail is required for these shipments.
- 3. For shipments entering the CTUS, a PS Form 2976-A, <u>Customs Declaration and Dispatch Note</u>, Figure 409-5 will be prepared and affixed to the parcel. The shipment will comply with (CBP) certification procedures, i.e., acceptable proof of prior ownership in the US, the CBP-imposed three-firearm limitation, or whether firearm is subject to duty, and will comply with BATF requirements.
- 4. Pistols, revolvers, and other firearms capable of being concealed on the person (referred to as handguns) are non-mailable by individuals. The DOD and the USPS prohibit acceptance by military post offices of war trophy firearms, ammunition and handguns for shipment by individuals (USPS Domestic/International Mail Manual, http://www.usps.com).
- 5. Due to complications that may arise with this method of shipment, TOs will limit use of this service to those situations where the member/employee has departed the area and the shipment could not otherwise be handled through normal shipping methods. Problems which may occur are: lack of adequate storage capability at the destination TOs, inability to effect tracer action until 60 days after shipment was made, and postal service liability rules.

### J. REPORTING DISCREPANCIES

Carriers, TOs, and members/employees discovering theft, attempted theft, or non-receipt of firearms will report the incident immediately to their activity CDR, DOD Component investigative service, and HQ MTMC MTPP-PP. This report will contain the origin and destination of the shipment; the member's/employee's name, rank/grade, and military Service/Agency; a description and serial number of the firearm; law enforcement agencies notified; and all other information concerning the incident. The DOD Components will establish procedures to ensure information is submitted through provost marshal or security officer channels to the National Crime Information Center and to the DOD central registry upon discovery of loss, theft, or recovery of lost or stolen firearms.

F	REGISTRATION OF WAR TROPHY	FIREARM	
The original of this registration fo	orm will be retained by the person authorized pos	ssession. This registration	n is not transferable.
1. THEATER		_	
2. NAME OF OWNER (Last name, first name, i	middle initial)	3. SERVICE NO./SSAN	4. GRADE
5. ORGANIZATION			
6. PERMANENT HOME ADDRESS (Street, City	, State and ZIP Code)		
7.	DESCRIPTION OF FIREARM		
a. MAKE	b. TYPE (Rifle, pistol, shotgun, etc.)	c. MODEL	,
L OFFICE AUTOFF	CALIDED	C COUNTRY OF MANUE	ACTURE
d. 'SERIAL NUMBER	e. CALIBER	f. COUNTRY OF MANUFA	ACTURE
8. DATE	9. TYPED NAME, GRADE, AND ORGANIZATION OF	EXECUTING OFFICER	
10. STATION	11. SIGNATURE OF EXECUTING OFFICER		
DD FORM 603, OCT 51 (EG)			USAPPC V1.00

Figure 409-1. DD Form 603, Registration of War Trophy Firearm

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Figure 409-2. Customs Form 4455, Certificate of Registration

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Under	penalties of law, I declare that I have examined	this applica	ation, includ	ling the docum	ents submitt	ad in suppor	t of it. and to the	best of my	knowledge #	and belief, it is tr
correct	it, and complete, that the transportation to and the tute any violation of Title I of the Gun Control Ac	he receipt ar	and possession	ion by me at m	ny place of re	residence of 1	the firearms and/o	or ammunition	on described	l above, would no
Title 18	18, Appendix, Sections 1201-1203) or any State is	law or local	l ordinance, l	that the firearn	ns and/or an	nmunition ar	e intended for my	personal us	e and that r	no firearm is a
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Figure 409-3. ATF Form 6 Part II (5330.3B), Application and Permit for Importation of Firearms, Ammunition and Implements of War

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Figure 409-4. ATF Form 6 Part I (5330.3A), Application and Permit for Importation of Firearms, Ammunition and Implements of War

United States P	ostal Service aration and Dispa	atch Note	Management of the state of the	E938	2uP558888		
Sender's Name and A	ddress (Nom et adresse de l	'expéditeur)	Addressee's Name a	nd Addre	65 (Nom et adresse	du destinataire)	
List of Contents (Désign	nation du contenu) Please Pr	iint	1	Qty.	Value (Valeur)	Net Weight (Pa	ids net)
Insured No.		Insured Amount	SDR Insured Value	Postag		Gross Weight	-
V-		us s	Seri mission value	US \$	•	lb	OZ
<u></u>	Commercial Sample (E		☐ Documents		(Cadeau)	Merchandis	
Sender's Instructions in Case of Nondelivery (instructions de l'expéditeur en cas de non-livraison)  Return to Sender (Renvoyer à l'origine) NOTE: Item subject to return charges at sender's expense.  Abandon (Abandonner)  Redirect to Address Below (Réexpédier à):		Sender's Signature and Date (Signature de l'expéditeur et date)  I certify that the particulars given in the customs declaration are correct and that this item does not contain any dangerous article prohibited by postal regulations.  Notice to senders: Copy 4 of this customs declaration is filed at the post					
PS Form <b>2976-A,</b> CP 72 <i>(Old C2/CP3/C</i>	1104 1000	uplicate form without US	office for 30 days from		te of mailing.	Customs Deck	

Figure 409-5. PS Form 2976-A, Customs Declaration and Dispatch Note